

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF PENNSYLVANIA

LAMONT L. MILLER,

Petitioner

v.

UNITED STATES OF AMERICA,

Respondent

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CIVIL ACTION NO. 3:19-2159

(JUDGE MANNION)

**ORDER**

In accordance with the memorandum issued this same day, IT IS  
HEREBY ORDERED THAT:

- (1) the report of Judge Saporito, (Doc. 5), is **ADOPTED IN ITS ENTIRETY**;
- (2) since the court lacks jurisdiction over petitioner Miller's habeas petition under 28 U.S.C. §2241, (Doc. 1), in the interest of justice, it will **TRANSFER** the petition to the United States District Court for the Southern District of West Virginia to be treated as a motion under 28 U.S.C. §2255.
- (3) the Clerk of Court is directed to **TRANSFER THIS CASE** to the United States District Court for the Southern District of West Virginia.

*s/ Malachy E. Mannion*  
**MALACHY E. MANNION**  
United States District Judge

**Date: February 18, 2020**